

# **EXHIBIT 16**

## UCC FINANCING STATEMENT

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER (optional)	
Jay Schwartz	212-592-1400
B. SEND ACKNOWLEDGMENT TO: (Name and Address)	
National Corporate Research Ltd. 523 West Sixth Street Suite 544 Los Angeles, Ca 90014	

DELAWARE DEPARTMENT OF STATE  
U.C.C. FILING SECTION  
FILED 06:14 PM 03/10/2006  
INITIAL FILING NUM: 6084008 2  
AMENDMENT NUMBER: 0000000  
SRV: 060238661

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - In unit only page debtor name (1a or 1b) - do not abbreviate or combine names				
1a. ORGANIZATION'S NAME Diamante Cabo San Lucas LLC				
OR	1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
1c. MAILING ADDRESS 2 Dogwood Drive		CITY Danbury	STATE CT	POSTAL CODE 05811
1d. IDENTIFICATION	1e. TYPE OF ORGANIZATION LLC	1f. JURISDICTION OF ORGANIZATION Delaware	1g. ORGANIZATIONAL ID #, if any	
2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only one debtor name (2a or 2b) - do not abbreviate or combine names				
2a. ORGANIZATION'S NAME				
OR	2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
2d. IDENTIFICATION	2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID #, if any	
3. SECURED PARTY'S NAME (in NAME OF TOTAL ASSIGNEE or ASSIGNOR) - insert only one secured party name (3a or 3b)				
3a. ORGANIZATION'S NAME Lehman Brothers Holdings Inc.				
OR	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
3c. MAILING ADDRESS 399 Park Avenue		CITY New York	STATE NY	POSTAL CODE 10022

## 4. THE FINANCING STATEMENT covers the following collateral:

All of Debtor's right, title and interest in the following (collectively, the "Pledged Collateral"):

- (i) all Pledged Company Interests;
- (ii) all securities, security certificates, monies or property representing the Pledged Company Interests, or representing dividends or interest on any of the Pledged Company Interests, or representing a distribution in respect of the Pledged Company Interests, or resulting from a split-up, revision, reclassification or other like change of the Pledged Company Interests or otherwise received in exchange therefor, and any subscription warrants, rights of options issued to the holders of, or otherwise in respect of, the Pledged Company Interests;
- (iii) all right, title and interest of Pledgor in, to and under any policy of insurance payable by reason of loss or damage to the Pledged Company Interests and any other Collateral;
- (iv) all "accounts", "general intangibles", "instruments" and "investment property" (in each case as defined in the Code) constituting or relating to the foregoing; and
- (v) all proceeds of any of the foregoing property of Pledgor (including, without limitation, any proceeds of insurance thereon, all "accounts", "general intangibles", "instruments" and "investment property", in each case as defined in the Code, constituting or relating to the foregoing).

Refer to defined terms in that certain Pledge and Security Agreement dated March 6, 2006, made by Debtor and KENNETH A. JOWDY, an individual, in favor of LEHMAN BROTHERS HOLDINGS INC.

5. ALTERNATIVE DESIGNATION (if applicable)	6. SECURED PARTY	7. CONSIGNEE/CONSIGNOR	8. BAILEY/BAILEY	9. SELLER/BUYER	10. AG. LIEN	11. NON-UCC FILING
12. FILING OFFICE (to be filled in by filer) (for record only) (in the REAL "Filing Office") (to be filled in by filer) (for record only) (in the REAL "Filing Office")						
13. OPTIONAL FILER REFERENCE DATA						
Filed with: DE - Secretary of State						
F#152948 A#243501						

FILING OFFICE COPY - UCC FINANCING STATEMENT (FORM UCC-1) (REV. 05/2002) 6026368-5

ENTERED

**UCC FINANCING STATEMENT**

FOLLOW INSTRUCTIONS (front and back) CAREFULLY

A. NAME & PHONE OF CONTACT AT FILER [optional] Jay Schwartz 212-592-1400	
B. SEND ACKNOWLEDGMENT TO: (Name and Address)  Herrick Feinstein LLP 2 Park Avenue New York, NY 10016  jschwartz@herrick.com	

THE ABOVE SPACE IS FOR FILING OFFICE USE ONLY

1. DEBTOR'S EXACT FULL LEGAL NAME - insert only <u>one</u> debtor name (1a or 1b) - do not abbreviate or combine names				
1a. ORGANIZATION'S NAME Diamante Cabo San Lucas LLC				
OR	1b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
1c. MAILING ADDRESS 2 Dogwood Drive		CITY Danbury	STATE CT	POSTAL CODE 06811
1d. SEE INSTRUCTIONS	ADD'L INFO RE ORGANIZATION DEBTOR	1e. TYPE OF ORGANIZATION LLC	1f. JURISDICTION OF ORGANIZATION Delaware	1g. ORGANIZATIONAL ID #, if any <input checked="" type="checkbox"/> NONE

2. ADDITIONAL DEBTOR'S EXACT FULL LEGAL NAME - insert only <u>one</u> debtor name (2a or 2b) - do not abbreviate or combine names				
2a. ORGANIZATION'S NAME				
OR	2b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
2c. MAILING ADDRESS		CITY	STATE	POSTAL CODE
2d. SEE INSTRUCTIONS	ADD'L INFO RE ORGANIZATION DEBTOR	2e. TYPE OF ORGANIZATION	2f. JURISDICTION OF ORGANIZATION	2g. ORGANIZATIONAL ID #, if any <input type="checkbox"/> NONE

3. SECURED PARTY'S NAME (or NAME OF TOTAL ASSIGNEE OF ASSIGNOR S/P) - insert only <u>one</u> secured party name (3a or 3b)				
3a. ORGANIZATION'S NAME Lehman Brothers Holdings Inc.				
OR	3b. INDIVIDUAL'S LAST NAME		FIRST NAME	MIDDLE NAME
3c. MAILING ADDRESS 399 Park Avenue		CITY New York	STATE NY	POSTAL CODE 10022

4. This FINANCING STATEMENT covers the following collateral:  
 All of Debtor's right, title and interest to the following (collectively, the "Pledged Collateral"):  
 (i) all Pledged Company Interests;  
 (ii) all securities, security certificates, moneys or property representing the Pledged Company Interests, or representing dividends or interest on any of the Pledged Company Interests, or representing a distribution in respect of the Pledged Company Interests, or resulting from a split-up, revision, reclassification or other like change of the Pledged Company Interests or otherwise received in exchange therefor, and any subscription warrants, rights or options issued to the holders of, or otherwise in respect of, the Pledged Company Interests;  
 (iii) all right, title and interest of Pledgors in, to and under any policy of insurance payable by reason of loss or damage to the Pledged Company Interests and any other Collateral;  
 (iv) all "accounts", "general intangibles", "instruments" and "investment property" (in each case as defined in the Code) constituting or relating to the foregoing;  
 and  
 (v) all Proceeds of any of the foregoing property of Pledgors (including, without limitation, any proceeds of insurance thereon, all "accounts", "general intangibles", "instruments" and "investment property", in each case as defined in the Code, constituting or relating to the foregoing).

Refer to defined terms in that certain Pledge and Security Agreement dated March \_\_, 2006, made by Debtor and KENNETH A. JOWDY, an individual, in favor of LEHMAN BROTHERS HOLDINGS INC.

5. ALTERNATIVE DESIGNATION [if applicable]:		LESSEE/LESSOR	CONSIGNEE/CONSIGNOR	BAILEE/BAILOR	SELLER/BUYER	AG. LIEN	NON-UCC FILING
6. This FINANCING STATEMENT is to be filed [for record] (or recorded) in the REAL ESTATE RECORDS. Attach Addendum [if applicable]		7. Check to REQUEST SEARCH REPORT(S) on Debtor(s) [ADDITIONAL FEE] [optional]		All Debtors		Debtor 1	Debtor 2
8. OPTIONAL FILER REFERENCE DATA		Filed with: DE - Secretary of State		F#152948		A#243501	

FILING OFFICE COPY — UCC FINANCING STATEMENT (FORM UCC1) (REV. 05/22/02)